IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 335 OF 2006

Chandrakant Khandu Bhandhari. ...Applicant
V/s.
State of Maharashtra. ...Respondent

Shri U.P. Warunjikar for Applicant.
Ms.S.D. Shinde, APP for the State.

CORAM : V.M. KANADE, J.

DATED : FEBRUARY 22, 2006

P.C. :-

. Heard learned Counsel for the applicant and learned APP for the State.

. The applicant was arrested in connection with an offence punishable under Section 302 of the IPC. It is alleged that the applicant poured kerosene on the neighbour's wife and she was set on fire by the mother of the applicant. The dying declaration of the deceased was recorded.

2. It is submitted by the learned Counsel for the applicant that in the present case, the chargesheet has been filed. The applicant has filed affidavits of

number of persons in which it is stated that the applicant was not at the place where the alleged offence was committed but was attending an engagement ceremony at some other place.

3. Learned APP appearing on behalf of the State submits that the applicant is an influential person and there is every possibility that he may tamper with the evidence.

4. From the record, it appears that the deceased was not in proper state of mind which is evident from the statement of her husband who has stated that the deceased never used to leave the house and was always bedridden and sick. Since the chargesheet has already been filed and considering the defence raised by the applicant, in my view, the applicant has made out a case for grant of bail. However, since the applicant is an influential person, there is every possibility that he may tamper with the evidence, therefore, he is released on bail subject to certain conditions.

5. The applicant be released on bail in the sum of Rs.25,000/- with one or two sureties in the like amount. The applicant shall not enter the jurisdiction of Khadak Police station pending the hearing and final disposal of the trial. The applicant shall give his new address to the jail superintendent before he is released on bail and shall report to the nearest police station of his new address once in a week. The applicant shall not threaten the witnesses or tamper with the evidence. If any complaint is received by the Investigating Officer, the bail which is granted to the applicant is liable to be cancelled.

. The application is disposed of in the above terms.

(V.M. Kanade, J.)